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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Observatory Report about Dismissals in Bahrain, May 2014

A Complaint was filed by a number of Workers' delegates at the 100th Session (June 2011) of the international Labour Conference against the Government of Bahrain concerning the non-observance by Bahrain of the Discrimination (Employment and Occupation)Cnvention,1958 (No.111). The Complaint alleges that following the events of February2011 in Bahrain, suspensions and various forms of sanctions, including dismissals, were imposed on over 2000 workers from both the public and the private sectors, including trade unionist, union members and leaders, as a result of peaceful demonstrations demanding economic and social changes and expressing support for on-going democratization and reform. The Complaint alleges that these dismissals took place on grounds such as workers' opinions, belief and trade union affiliation.

Establish a tripartite committee comprised of one member nominated by the Government, one member nominated by the General Federation of Bahrain Trade Unions and one member nominated by Bahrain Employers. The tripartite committee has access to all relevant documents and meets weekly to address, with the assistance of independent legal advice (ILO) if requested by the Government 0r the workers' or employers' representatives, the issue of dismissals and reinstatements referred to in the complaint and provide minutes of its meetings to the International Labour Office. Provide two written progress reports to the Director-General, one in January and the second in February 2012, which would include the current individual employment status of each worker who has been alleged to have been inappropriately dismissed during the relevant period.

In response to a request received by the GFBTU, the Director General decided to send a Mission, headed by Ms Cleopatra Doumbia-Henry, Director of the International Labour Standards', visited the country from the 29 February to 11 March, 2012.

As a consequence of the events of February- March 2011, over 2200 workers were dismissed from the public-private companies and purely private companies. In the public-private companies, 1520 workers were dismissed while over 697 workers from the purely private companies have been dismissed. For GFBTU, 246 civil services were dismissed, while 415 were suspended.

The total number of workers affected on the basis of the above data is over 4200. This number does not take into account of the numbers that were dismissed in other Government institutions which do not fall under the umbrella of the Civil Services Bureau. According to the GFBTU, 65 workers in Government institutions not covered by the Civil Services Bureau were suspended and 145 were dismissed.

At the date of signature of March10,2014 Agreement according to the GFBTU 168 of the 246 civil servants who were dismissed have been reinstated with 78 still suspended and non-civil services government sector 54 of the 65 suspended workers have been reinstated and 96 out of 145 dismissed workers have been reinstated.

Concerning the public-private companies, out of 1520 workers who had been dismissed, all have been reinstated or are in the process of reinstatement. Concerning purely private sector, according to the GFBTU, out of 734 workers dismissed, 193 have been reinstated and the Government has submitted a list of 176 workers who have been re-employed and should be verified by the GFBTU. The Parties note that majority of workers who have not been reinstated were working in small enterprises. Sixty four civil servants remain under criminal referral. The GFBTU insisted that all reinstated civil servants are able to reintegrate the posts occupied by them prior to their dismissal or suspension. Where this is not possible, these workers should be provided with a position of equivalent grade, pay and benefits, including transportation allowance where applicable as well as the possibility to be re-assigned to their former job as soon as it becomes available.

The GFBTU calls on the Government to cause all scheduled suspensions and salary reductions of civil servants, concerning workers in the public-private companies who have not yet been reinstated at the date of this agreement. Any pending cases of non-reinstated will then be submitted to an appropriate tripartite mechanism for review.

Government of Bahrain, the GFBTU and the BCCI undertake to work together to ensure the smooth reintegration of the workers into their workplaces and a return to social peace. The Government also commits to work on the possibility of ratifying the freedom of Association and Protection of Right to Organize Convention, 1958(No.87) and the Right to Organise and Collective Bargaining Convention, 1949(No.98). The national tripartite committee that was put in place to follow- up on the November 2011 decision of the Governing Body continued its work to ensure the full reinstatement of workers.

The Parties welcome the ILO commitment to provide the partners and enterprises concerned with the necessary support through capacity-building for a smooth reintegration of the workers and the support the improvement of workplace relations and social dialogue as well as training on international labour standards. Training and capacity building on international labour standards will also be extended to the Governmental agencies concerned as well as the Judiciary and the Parliament.